

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

TWENTY-SECOND DAY, MONDAY, FEBRUARY 14, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, hear a just cause, give heed to our cry; give ear to our prayer, which is not from deceitful lips.

Wonderfully show to us Your loving kindness as we begin our work week. May our speech be humble not arrogant, concise not long-winded and impacting rather than self-serving.

We call upon You, O Lord, who is worthy to be praised. In our distress, we call upon You for help and find that You are a very present help in time of need.

Now may the grace of God rest and abide with each one of you...

In the wonderful name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Rajaye Smith, Michelle Grubbs, Meagan Hall, Jessica Prather and Samantha Sellers.

The Journal of the twenty-first day was approved as corrected by the following vote:

AYES: 150

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Harris 23	Henke
Hobbs	Hoskins	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves

Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Bland	Bowman	Boykins	Brooks
Curls	El-Amin	Haywood	Hubbard	Johnson 90
Stevenson	Walton			

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 481	-	Representative Bruns
House Resolution No. 482	-	Representative Vogt
House Resolution No. 483	-	Representative Kratky, et al.
House Resolution No. 484		
and		
House Resolution No. 485	-	Representative Bruns
House Resolution No. 486	-	Representatives Bruns and Schad
House Resolution No. 487		
through		
House Resolution No. 491	-	Representative Phillips
House Resolution No. 492		
and		
House Resolution No. 493	-	Representative Nance
House Resolution No. 494		
through		
House Resolution No. 516	-	Representative Jones
House Resolution No. 517	-	Representative Pratt
House Resolution No. 518	-	Representative Nolte
House Resolution No. 519	-	Representatives Quinn and Munzlinger
House Resolution No. 520	-	Representative Cooper (158)
House Resolution No. 521	-	Representative Brown (30)
House Resolution No. 522	-	Representative Parker
House Resolution No. 523	-	Representative Pratt

House Resolution No. 524 - Representative Icet
House Resolution No. 525 - Representative Sutherland
House Resolution No. 526 - Representative Smith (14)

SECOND READING OF HOUSE BILLS

HB 501 through **HB 530** were read the second time.

SECOND READING OF SENATE BILLS

SS SCS SBs 1 & 130 and **SCS SBs 10 & 27** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 119**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 248**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 393**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of eight (8) hours for debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 441**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

SUPPLEMENTAL CALENDAR

FEBRUARY 14, 2005

HOUSE BILL FOR PERFECTION

HCS HB 393 - Byrd (8 hours debate on Perfection)

HOUSE CONCURRENT RESOLUTION

HCR 17, relating to Congenital Heart Defect Awareness Day, was taken up by Representative Cooper (158).

On motion of Representative Cooper (158), **HCR 17** was adopted.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 13 - Rules

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SBs 1 & 130 - Workforce Development and Workplace Safety

COMMITTEE REPORT

Committee on Veterans, Chairman Jackson reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 94** and **HB 185**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE OF BILLS

The following House Bills were read the first time and copies ordered printed:

HB 531, introduced by Representative Wright (137), to authorize the governor to convey property owned by the state in Greene County.

HB 532, introduced by Representatives Spreng, Darrough, Bowman, Lowe (44), Wagner, Dempsey, Portwood, Daus, Vogt, Hubbard, Richard, Kratky, Pearce, Bearden, McGhee, Schneider, Sater, Wildberger, Page, Selby, Villa, Liese and Young, relating to a sales tax exemption for certain vehicles.

HB 533, introduced by Representatives Faith and Smith (14), relating to the transfer of employer accounts.

HB 534, introduced by Representatives Hobbs, Schlottach and Smith (118), relating to inventory of county property.

HB 535, introduced by Representatives Roorda, Henke, Oxford, Casey, Meadows, Wildberger, Brown (50), Darrough, Storch, Robinson, Low (39), Harris (23), Lampe, Aull, Skaggs, Baker (25), Salva, Chappelle-Nadal, Donnelly, Zweifel, Hughes, Bowman, Johnson (90), LeVota, Dougherty, Walsh, Jolly, Spreng, Young, Burnett, Villa, Witte, Schoemehl, Yaeger, Bringer, Harris (110), Rucker, Hoskins, Meiners, Kuessner, Wagner, Liese, Whorton, Haywood, Shoemyer, Johnson (61), Page, Moore, Walton, Denison, Fisher and Sander, relating to relief for family members of active duty Missouri military personnel.

HB 536, introduced by Representative Wright (137), relating to the reporting of child abuse or neglect.

WITHDRAWAL OF HOUSE BILL

February 14, 2005

Speaker Rod Jetton
Room 308, State Capitol
Jefferson City, MO 65101

Dear Speaker Jetton:

I respectfully request the withdrawal of **House Bill No. 432**, prohibiting the granting of tenure at higher education institutions.

Sincerely,

/s/ Representative Mark Wright
District 137

The following members' presence was noted: Bland, Sanders Brooks, Curls and Walton.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 9:45 a.m., Tuesday, February 15, 2005.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Twenty-first Day, Thursday, February 10, 2005, Page 281, Line 21, by inserting immediately after said line the following:

HOUSE CONCURRENT RESOLUTION NO. 17

WHEREAS, congenital heart defects are the most frequently occurring birth defect and the leading cause of birth defect related deaths worldwide; and

WHEREAS, more than one million families across America are facing the challenges and hardships of raising children with congenital heart defects; and

WHEREAS, each year 40,000 babies are born with congenital heart defects in the United States; and

WHEREAS, some congenital heart defects are not diagnosed until months or years after birth; and

WHEREAS, undiagnosed congenital heart conditions cause many cases of sudden cardiac death in young athletes; and

WHEREAS, despite these conditions, newborns and young athletes are not routinely screened for congenital heart defects; and

WHEREAS, Congenital Heart Defect Awareness Day provides an opportunity for families whose lives have been affected to celebrate life and to remember loved ones lost, to honor dedicated health professionals, and to meet others and know they are not alone; and

WHEREAS, the establishment of Congenital Heart Defect Awareness Day will also provide the opportunity to share experience and information with the public and the media in order to raise public awareness about congenital heart defects:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-third General Assembly, First Regular Session, the Senate concurring therein, hereby recognize February 14, 2005, as Congenital Heart Defect Awareness Day in Missouri.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, February 15, 2005, 12:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HB 303, HB 116

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 15, 2005, 8:00 a.m. Hearing Room 4.

Department of Agriculture and Department of Natural Resources budget presentations.

APPROPRIATIONS - EDUCATION

Tuesday, February 15, 2005, 8:00 a.m. Hearing Room 1.

Presentation from the Department of Higher Education or the Department of Elementary and Secondary Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 15, 2005, 8:00 a.m. Hearing Room 7.

Budget to be reviewed: Office of Administration continued and Statewide leasing.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 15, 2005, 6:00 p.m. Hearing Room 6.

Budget to be reviewed: Statewide leasing continued.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 16, 2005, 6:00 p.m. Hearing Room 4.

Budgets to be reviewed: Statewide leasing continued if necessary; Judiciary and Office of Public Defender.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 15, 2005, 8:00 a.m. Hearing Room 3.

Finish Department of Mental Health. Recess until evening adjournment.

Evening: Governor's recommendation regarding optional services and eligibility issues.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, February 16, 2005, Hearing Room 6 upon evening adjournment.

Discussion of provider taxes; home and community based services and nursing homes.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 15, 2005, 8:00 a.m. Hearing Room 6.

Corrections budget presentations only.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 15, 2005, 9:00 a.m. Hearing Room 5.

Department of Insurance. AMENDED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 15, 2005, Hearing Room 4 upon afternoon adjournment.

Tax Credits.

CHILDREN AND FAMILIES

Wednesday, February 16, 2005, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 100

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 16, 2005, 6:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HJR 8

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 15, 2005, 6:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 365, HB 189, HB 57, HB 165

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 16, 2005, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 87, HB 34

FINANCIAL INSTITUTIONS

Tuesday, February 15, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 379, HB 468

HEALTH CARE POLICY

Wednesday, February 16, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 131

HIGHER EDUCATION

Tuesday, February 15, 2005, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 264, HB 103

JOINT COMMITTEE ON EDUCATION

Tuesday, February 15, 2005, 7:00 p.m. Senate Committee Room 1.

Pursuant to Section 610.021(1); the Committee may go into closed session to discuss matters relating to litigation.

Rep. Robb will give a presentation following closed session. AMENDED

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 17, 2005, Hearing Room 1 upon morning adjournment.

Organizational meeting and any other business.

JUDICIARY

Tuesday, February 15, 2005, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 49, HB 269

LOCAL GOVERNMENT

Thursday, February 17, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 347, HB 91

RETIREMENT

Wednesday, February 16, 2005, 6:00 p.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearings to be held on: HB 112, HB 238, HB 261, HB 334

TOURISM

Thursday, February 24, 2005, 9:00 a.m. House Lounge.

Presentation of the annual report by the Tourism Commission.

TRANSPORTATION

Wednesday, February 16, 2005, 8:00 a.m. Hearing Room 1.

House Bills will be heard after an address by Dr. Jeffrey Runge.

Executive session may follow.

Public hearings to be held on: HB 183, HB 385

WAYS AND MEANS

Wednesday, February 16, 2005, 6:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 209, HB 54, HB 235

HOUSE CALENDAR

TWENTY-THIRD DAY, TUESDAY, FEBRUARY 15, 2005

HOUSE BILLS FOR SECOND READING

HB 531 through HB 536

HOUSE BILLS FOR PERFECTION

- | | | |
|---|---------------------|----------------------|
| 1 | HCS HB 393 - Byrd | (8 hours-Perfection) |
| 2 | HCS HB 441 - Behnen | |